

STATE OF OREGON  
COUNTY OF BAKER  
CERTIFICATE OF WATER RIGHT

This is to Certify, That FRED A. TONEY  
of Baker, State of Oregon, has made proof  
to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of  
Powder River, tributary to Snake River,

for the purposes of  
Irrigation and sub-irrigation, to be appropriated under Application No. 16655,  
Permit No. 12425,

under Reservoir Permit No. 700 of the State Engineer, and that said right to store said  
waters has been perfected in accordance with the laws of Oregon; that the priority of the right  
hereby confirmed dates from October 30, 1936;

that the amount of water entitled to be stored each year under such right, for the purposes afore-  
said, shall not exceed 8 acre-feet.

The reservoir is located in Section 27, Tp. 7 S., R. 39 E., W. M.

After the expiration of fifty years from the date of this certificate or on the expiration of  
any federal power license issued in connection with this right, and after not less than two years  
written in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have  
the right to take over the dams, plants and other structures and all appurtenances thereto which have  
been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon  
condition that before taking possession the State or municipality shall pay not to exceed the fair  
value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and  
dependable property of the holder of this certificate, not taken over, as may be caused by the  
severance therefrom of the property taken in accordance with the provisions of section 5728,  
Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this 16th day  
of December, 19 37

CHAS. E. STRICKLIN  
State Engineer.